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VALERIE WYANT, CLERK
16 MAR 18 AM 10:42
FILED

13 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

14 **IN AND FOR THE COUNTY OF COCONINO**

15 STATE OF ARIZONA,

16 Plaintiff,

17 vs.

18 STEVEN EDWARD JONES,

19 Defendant.

No. CR2015-00862

PRETRIAL MEMORANDUM

Hon. Dan Slayton – Div. 2

20 COMES NOW the State of Arizona, by and through the undersigned deputies, and
21 submits the following proposed Pretrial Memorandum. The State made a good faith effort
22 to establish a joint pretrial memorandum with defense counsel by the Court's established
23 deadline of March 19, 2016; however, the parties have been unable to reach an
24 agreement on proposed deadlines. Defense counsel declined to consider the State's
25 proposed deadlines via email and rejected the State's requests to speak via telephone.
26 Therefore, the State now offers its proposed Pretrial Memorandum independent of
defense counsel.

1 **1. Length of Trial:**

2 The State anticipates trial will last approximately 5 weeks. The State's case-in-chief
3 is anticipated to last approximately 4 weeks.

4 **2. Aggravation/Mitigation:** The State intends to seek the maximum aggravated term(s)
5 following any conviction at trial, including a conviction on any lesser-included offense.
6 The State's Notice of Aggravating Factors is forthcoming.

7 **3. Disclosure Issues:**

8 The State's disclosure is substantially complete. The State is still awaiting forensic
9 reports for serology and DNA. As of this filing, serology on some of the items has
10 been completed. The DPS lab is aware of the serious nature of the case and has
11 indicated a willingness to expedite the testing as much as possible. However, the
12 DNA testing is not expected to be completed for another 6 weeks. The State is also
13 awaiting a report from Tom Bevel.

14 **4. Jury Questionnaire:** The State proposes to use a jury questionnaire in this case.
15 The State also proposes to have potential jurors fill out the questionnaire one week
16 prior to jury selection to give the parties an opportunity to review the questionnaires.

17 **5. Proposed Schedule:** The State believes a scheduling order, along the following
18 deadlines, would be appropriate in this case:

- 19 a. Notice of any Defense Expert(s): 6/1/2016
20 b. Completion of Defense and State Expert Reports: 8/1/2016
21 c. Notice of any Rebuttal Experts: 9/1/2016
22 d. Final notice of Defense non-expert witnesses: 9/1/2016
23 e. State's *Romero* witness list: 9/1/2016
24 f. Rebuttal Expert Reports: 10/1/2016
25 g. Completion of interviews: 11/1/2016
26 h. Substantive Motions due (not simple *motions in limine*): 11/29/2016
 i. Proposed Jury Questionnaire due: 11/29/2016

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- 1 j. Responses due: 12/9/2016
2 k. Replies due: 12/16/2016
3 l. Final motions hearing: 1/10/2017
4 m. Trial date: 2/7/2017*

5
6 RESPECTFULLY SUBMITTED this 18th day of March, 2016.

7
8
9 By BK Shea
10 Ammon Barker
11 Bryan Shea
12 Deputy County Attorneys

13
14 COPY of the foregoing
15 mailed/delivered this 18th
day of March, 2016, to:

16 The Honorable Dan Slayton
c/o Courthouse Box

17 Burges McCowan
18 Joshua Davidson
Attorneys for Defendant

19
20 By Melissa L. Pardo
21
22
23
24
25
26

* Defense counsel has indicated they have a scheduling conflict with a February 7, 2017 trial date, and have instead proposed a trial date of March 20, 2017. The State has no objection to setting a March 20, 2017 trial date.